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June 25, 2015

By ECF and Hand Delivery

The Honorable William H. Pauley III
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

The Dial Corporation, et al. v. News Corporation, et al.,
No. 13-cv-06802 (WHP) (S.D.N.Y.)

Dear Judge Pauley:

We are writing to inform the Court that on Thursday, July 2, Defendants plan to file with the Second Circuit Court of Appeals a petition for review of this Court's class certification order, pursuant to Fed. R. Civ. P. 23(f). We are providing this information in advance of the pre-motion conference set for next Tuesday, June 30, to the extent Your Honor may wish to consider it in the context of addressing any additional discovery and summary judgment briefing.

The timing of the Rule 23(f) petition is as follows: Defendants' petition will be filed on July 2. Plaintiffs' response will be due on July 13. It is our understanding that the Second Circuit typically rules on petitions for review from class certification orders within approximately three to four months of filing. In this case, therefore, we estimate that the Court of Appeals will rule on Defendants' petition in or around October 2015.

Respectfully submitted,

/s/ Kenneth A. Gallo

Kenneth A. Gallo

cc: Counsel of Record (by ECF)